

Village of Pittsford
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – December 14, 2009 at 7:00 PM

PRESENT:

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin
	Meg Rubiano
	George Wallace (absent)
	Lili Lanphear (absent)
Attorney:	John Osborn
Building Inspector:	Edward Bailey (absent)
Recording Secretary:	Linda Habeeb

Chairperson Mitchell called the meeting to order at 7:00 P.M.

ZONING BOARD

Soren Eriksson, 27 Rand Place ~ Area variance

Present: Paul Zachman

The Secretary read the legal notice that was published in the December 2, 2009 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday, December 14, 2009 at 7:00 pm, to consider an application made by Soren Erikson, owner of property located at 27 Rand Place, for (1) an area variance to extend a structure on a pre-existing non-conforming lot, said lot a width of 60 feet at the street where 70 feet is required, an average depth of 140.82 feet where 150 feet is required, and an area of 8,460 square feet where 10,000 square feet is required, pursuant to Chapter 210-6D of the Code of the Village of Pittsford, and (2) An area variance to construct a porch with a front setback of 29.4 feet where 30 feet is required, pursuant to Chapter 210-12 B of the Code of the Village of Pittsford.”*

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c)(13).

Discussion: Mr. Zachman stated that the owners of the residence are requesting an area variance for a pre-existing, non-conforming lot size for construction of a front porch addition. He stated that there had been a larger porch on the front of the house that was removed by a previous owner, and there is currently no porch on the front of the house. The proposed porch will be centered on the entryway and will match the depth and setback of porches on neighboring houses. He stated that the porch will encroach slightly on the front setback.

Public Hearing Opened: Chairperson Mitchell opened the public hearing at this time.

Public Hearing Closed: There being no one wishing to speak for or against this application, Chairperson Mitchell closed the public hearing.

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the area variances for 27 Rand Place, as submitted.

Vote: Chamberlin – yes; Mitchell – yes; Rubiano – yes. ***Motion carried.*** The decision was filed in the Office of the Village Clerk on December 14, 2009.

- ◆ There are no undesirable changes that will be produced in the character of the neighborhood by granting these variances.
- ◆ The variances will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- ◆ The benefit sought cannot be achieved by some feasible method other than variances.
- ◆ The requested variances are not substantial.

ZONING BOARD

Tobi & Keith VanOrden, 40 Sutherland Street ~ Site Plan review
Present: Paul Zachman

The Secretary read the legal notice that was published in the December 2, 2009 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday, December 14, 2009 at 7:00 pm, to consider an application made by Tobi and Keith Van Orden, owner of property located at 40 Sutherland Street, for minor site plan approval, pursuant to Chapter 210-83(B)(15) of the Code of the Village of Pittsford.”*

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c)(15).

Discussion: Mr. Zachman stated that the owners of the house are proposing constructing an addition on the rear of the house, which is located at 40 Sutherland Street. Mr. Zachman stated that only the south elevation of the addition will be visible from the public way. He noted that previously, a garage addition was added on the rear of the garage. He submitted documentation that included an instrument survey map, elevation drawings, and photographs of the house and surrounding area. He stated that the proposed addition is within the allowed setbacks, and will comprise less than 15% of the entire house. Board members noted that the visual impact from the public street will be negligible.

Public Hearing Opened: Chairperson Mitchell opened the public hearing at this time.

Public Hearing Closed: There being no one wishing to speak for or against this application, Chairperson Mitchell closed the public hearing.

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the proposal for minor site plan for construction of an addition at the house located at 40 Sutherland Street, as submitted.

Vote: Chamberlin – yes; Mitchell – yes; Rubiano – yes. ***Motion carried.*** The decision was filed in the Office of the Village Clerk on December 14, 2009.

- ◆ There are no undesirable changes that will be produced in the character of the neighborhood by granting this site plan approval for an addition.
- ◆ The addition will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- ◆ The benefit sought cannot be achieved by some feasible method other than an addition.

- ◆ The requested site plan approval for an addition is not substantial.
- ◆ All setbacks will be in compliance with Village code.

Edmund Kidd, 8 Green Hill Lane ~ Site Plan Review
Present: Robert Monahan, Architect

The Secretary read the legal notice that was published in the December 2, 2009 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday, December 14, 2009 at 7:00 pm, to consider an application made by Edmund Kidd, owner of property located at 8 Green Hill Lane, for minor site plan approval, pursuant to Chapter 210-83(B)(15) of the Code of the Village of Pittsford.”*

SEQR: Chairperson Mitchell stated that this is a Type

Discussion: The applicant stated that he is proposing construction of a two-story addition on the rear of the existing residence, located at 8 Green Hill Lane. He submitted documentation that included an instrument survey map, elevation drawings, and photographs of the house and surrounding area. It was noted that the addition is minimally visible from the public way.

Public Hearing Opened: Chairperson Mitchell opened the public hearing at this time.

Public Hearing Closed: There being no one wishing to speak for or against this application, Chairperson Mitchell closed the public hearing.

Motion: Member Chamberlin made a motion, seconded by Chairperson Mitchell, to approve the proposal for minor site plan for construction of an addition at the house located at 8 Green Hill Lane, as submitted.

Vote: Chamberlin – yes; Mitchell – yes; Rubiano – yes. ***Motion carried.*** The decision was filed in the Office of the Village Clerk on December 14, 2009

- ◆ There are no undesirable changes that will be produced in the character of the neighborhood by granting this site plan approval for an addition.
- ◆ The addition will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- ◆ The benefit sought cannot be achieved by some feasible method other than an addition.
- ◆ All setbacks will be in compliance with Village code.

Pittsford Farms Dairy, 44 N. Main Street ~ Lighting Plan
Present: Charles Corby

Discussion: Mr. Corby presented a revised lighting plan for the Pittsford Farms Dairy. He noted that the previously proposed rear lights behind the building have been eliminated from the revised plans. He pointed out the location of the nine lights on the plans. He presented a sample light fixture that will be installed on poles in the newly paved area near the barn. It

was noted that the fixture has a maximum capacity of one, 100 wattage bulb. Based on the engineer's submission, these fixtures will create footcandle measurements of .5 on the ground. Mr. Corby stated that these lights will be on a timer that will turn off at 11 pm. Chairperson Mitchell suggested that since the Dairy will not be open past nine pm, the lights could be turned off earlier. Mr. Corby said that he would agree to turn off the lights within one hour of closing.

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the modifications to the lighting site plan, submitted and date-stamped on 11/25/09, with the condition that the lights will be turned off within one hour of closing the retail section of the Dairy.

Vote: Chamberlin – yes; Mitchell – yes; Rubiano – yes. *Motion carried.* The decision was filed in the Office of the Village Clerk on December 14, 2009.

Member Items:

- ◆ Chairperson Mitchell reported that there are still an excessive number of cars parked at Sutherland Auto. She noted that this has been an ongoing problem for at least 6 months.

Minutes:

Motion: Member Rubiano made a motion, seconded by Chairperson Mitchell, to approve the November 23, 2009 minutes, as drafted.

Vote: Chamberlin – yes; Mitchell – yes; Rubiano – yes. *Motion carried.* The decision was filed in the Office of the Village Clerk on December 14, 2009.

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 8:15 pm.

Linda Habeeb, Recording Secretary